

**PUBLIC SAFETY
AND
LEGAL ADMINISTRATION COMMITTEE
MINUTES**

MAY 12, 2009

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, May 12, 2009 at 3:29 p.m., in Committee Room #2**. The following members were present:

**The Honorable Cleta Winslow, Chair
The Honorable C. T. Martin, Vice-Chair
The Honorable Anne Fauver
The Honorable Joyce Sheperd
The Honorable H. Lamar Willis**

The following member was absent:

The Honorable Kwanza Hall

Others present at the meeting were: Jerry Deloach, Amber Robinson and Dianne Mitchell, Law Department; Chief Richard Pennington, Deputy Chiefs George Turner and Carlos Banda, Sergeant Edward Davis, Major Williams, Police Department; Chief Kelvin Cochran, Deputy Chief W. Meadows and H. B. Dodson, Jr., Atlanta Fire and Rescue Department; Karen Rogers, Office of Weed and Seed; Mayor's Officer; media, public and council staff.

Chair Cleta Winslow called the meeting to order at 3:29 p.m. after declaring a quorum present. She then proceeded with the following order of business.

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF MINUTES - APPROVED

C. DISCUSSION ITEMS

- (1) Application for Stimulus Grant Monies, Fire Chief, Kelvin Cochran
- (2) Special Operations, Fire Chief, Kelvin Cochran
- (3) Auditor Report on Police Patrol Officer Availability, Leslie Ward.
This item was rescheduled to the May 26, 2009 Committee Meeting.

CONSENT

D. RESOLUTIONS

Claims with favorable recommendations:

- 09-R-0864 (1) Claim of **Drewnell Thomas, through her attorney, Keith M. Kodosky**, for damages alleged to have been sustained as a breach of contract for housing rehabilitation repairs and renovations from May 2004 through July 2004 at 460 Joseph E. Lowery Boulevard. **\$22,500.00**
- 09-R-0865 (2) Claim of **Mario Shropshire, through his attorney, Robert Falanga**, for damages alleged to have been sustained as a result of a vehicular accident on July 29, 2008 at Campbellton Road and Centra Villa Drive. **\$9,000.00**
- 09-R-0866 (3) Claim of **Ngun Thang**, for damages alleged to have been sustained as a result of an automobile accident on January 13, 2009 at Caroline Street, NE and Moreland Avenue, NE. **\$4,105.98**
- 09-R-0867(4) Claim of **Timothy Smith and The Department of Veteran Affairs**, for damages alleged to have been sustained as a result of a slip and fall in an open water meter on September 28, 2007 at 1460 Westboro Drive. **\$3,000.00**
and
\$849.99
- 09-R-0868 (5) Claim of **Ethel Frazier**, for vehicle damages alleged to have been sustained as a result of a sewer backup on October 26, 2008 at 380 Plainville Drive. **\$2,915.64**
- 09-R-0869 (6) Claim of **GEICO Direct, as subrogee of Kristina Diaz**, for vehicular damages alleged to have been sustained due to an automobile accident on November 28, 2008 at Piedmont Road, NE and Peachtree Road, NE. **\$2,835.80**
(Councilmember Martin made a motion to hold for further review by the Law Department.)

HELD

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 09-R-0870 (7) Claim of **Bertron Anderson**, for property damages alleged to have been sustained from an automobile accident on March 10, 2009 at 68 Mitchell Street, SW. **\$2,125.00**
- 09-R-0871 (8) Claim of **Travelers Property Casualty Company of America, as subrogee of Gwendolyn Halls**, for property damages alleged to have been sustained when a driveway was damaged by a sanitation truck on October 24, 2008 at 537 Larchmont Drive, NW. **\$1,456.78**
- 09-R-0872 (9) Claim of **Carolyn Newman**, for damages alleged to have been sustained as a result of a leaking water meter on September 30, 2008 at 1258 Wylie Street. **\$1,034.00**
- 09-R-0873 (10) Claim of **Victoria Insurance, as subrogee of Darrius Leshon Hayes**, for damages alleged to have been sustained as a result of an automobile accident on November 18, 2008 at 751 Fairburn Road, SW. **\$937.00**
- 09-R-0874 (11) Claim of **Ahmad and Hamid Fallahi**, for damages alleged to have been sustained as a result of an automobile accident on March 2, 2009 at 1326 Martin Luther King, Jr. Drive. **\$860.00**
- 09-R-0875 (12) Claim of **Aaron Jackson**, for damages alleged to have been sustained as a result of striking a pothole on January 13, 2009 at 469 10th Street. **\$841.40**
- 09-R-0876 (13) Claim of **Atlanta Gas Light Company, through its attorney, John C. William**, for damages alleged to have been sustained during the installation of a sewer cleanout on November 26, 2008 at 2981 Westminster Circle, NW. **\$833.43**
- 09-R-0877 (14) Claim of **Minnie L. Johnson**, for damages alleged to have been sustained as a result of an automobile accident on March 18, 2009 at 1404 Plaza Avenue, SW. **\$519.56**

RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 09-R-0878 (15) Claim of **Lisa Cervera Webb, through her attorney, G. Franklin Lemond, Jr., Webb, Klase & Lemond**, for damages alleged to have been sustained as a result of a water account dispute at 168 West Paces Ferry Road.
- 09-R-0879 (16) Claim of **Mavis Holland**, for damages alleged to have been sustained as a result of a fallen tree limb on January 12, 2009 at 7 Bisbee Avenue.
- 09-R-0880 (17) Claim of **Travelers Insurance Company, as subrogee of Dionne Hennessy, Cadillac, Inc.**, for damages allegedly sustained as a result of a piece of a metal plate striking claimant's vehicle on February 28, 2009 at 3040 Piedmont Road.
- 09-R-0881 (18) Claim of **Ken Edwards Enterprises, Inc.**, for damages alleged to have been sustained as a result of a sewer backup on January 7, 2009 at 2813 Careygate.
- 09-R-0882 (19) Claim of **Indya N. Johnson**, for vehicular damages alleged to have been sustained from driving over a fallen tree on December 21, 2008 at Boulder Park Drive and Branch Street.
- 09-R-0883 (20) Claim of **Chris Bunch**, for damages allegedly sustained as a result of driving over an unsecured metal plate on August 11, 2008 at Piedmont Road near Monroe Drive.
- 09-R-0884 (21) Claim of **Urbana Realty Advisors, LLC, Pershing Park Owner Corp., LLC and Park Tenant Corp., LLC**, for damages alleged to have been sustained as a result of a water main break on March 5, 2007 at 1420 Peachtree Street.
- 09-R-0885 (22) Claim of **Lillian Tompkins**, for damages alleged to have been sustained as a result of a water meter leak on March 14, 2007 at 685 Berne Street.

RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 09-R-0886 (23) Claim of **Clive Bank**, for damages alleged to have been sustained as a result of driving over a pothole on February 28, 2009 at Johnson Ferry Road near River Valley Road.
- 09-R-0887 (24) Claim of **Latoya Jones**, for damages alleged to have been sustained as a result of a trip and fall on a damaged grate on September 25, 2008 at the Broad Street Plaza.
- 09-R-0888 (25) Claim of **Josephine F. Hill**, for damages alleged to have been sustained as a result of a sewer backup on October 23, 2008 at 174 Howard Street, NW.
- 09-R-0889 (26) Claim of **Steven E. Kamishlian**, for damages alleged to have been sustained as a result of striking a damaged storm grate on February 28, 2009 at 1510 Ponce de Leon Avenue.
- 09-R-0890 (27) Claim of **Elizabeth Ebert**, for damages alleged to have been sustained as a result of driving over an uncovered manhole on October 5, 2008 at West Paces Ferry Place and East Andrews Drive.
- 09-R-0891 (28) Claim of **Darren May**, for damages alleged to have been sustained as a result of striking a hole in the roadway on March 1, 2009 at 6700 Roswell Road.
- 09-R-0892 (29) Claim of **Anthony Gilliam**, for damages alleged to have been sustained as a result of striking a damaged sewer manhole on March 10, 2009 at 1097 Harwell Road, NW.
- 09-R-0893 (30) Claim of **State Farm Insurance Companies, as subrogee of Brett E. Lauter**, for damages alleged to have been sustained as a result of fallen tree limbs on September 1, 2007 at 933 Edgewood Avenue, NE.
- 09-R-0894 (31) Claim of **Gary and Tracey Moorey, through their attorney, Clint W. Sitton, Esq., Martin & Jones**, for property damage allegedly sustained from flooding due to storm sewer overflow on July 13, 2008 at 686 Darlington Circle, NE.

RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 09-R-0895 (32) Claim of **Kate Gage Durie**, for vehicular damages alleged to have been sustained from driving over an object that was located in the road on October 21, 2008 at 3520 Piedmont Place, NE.
- 09-R-0896 (33) Claim of **Erica Cook-Aaron, through her attorney, Sam L. Starks**, for damages alleged to have been sustained as a result of flooding on July 6, 2008 at 198 Atlanta Avenue, SE.
- 09-R-0897 (34) Claim of **Annie Wright, Annette Wright and John Collier, through their attorney, Sam L. Starks**, for damages alleged to have been sustained as a result of flooding on July 6, 2008 at 237 Atlanta Avenue, SE.
- 09-R-0898 (35) Claim of **Kenneth Fambro, through his attorney, Sam L. Starks**, for damages alleged to have been sustained as a result of flooding on July 6, 2008 at 201 Atlanta Avenue, SE.
- 09-R-0899 (36) Claim of **Sylvester Fambro and Wyomia Fambro, through their attorney, Sam L. Starks**, for damages alleged to have been sustained as a result of flooding on July 6, 2008 at 201 Atlanta Avenue, SE.
(Councilmember Martin made a motion approve Items D1-D5 and D7-D36)

FAVORABLE

REGULAR

E. PUBLIC HEARINGS - ORDINANCES FOR SECOND READING

- 09-O-0799 (1) An Ordinance by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to assess a Hazardous Materials Fee for responses which require services and resources from the Atlanta Fire and Rescue Department as a result of a negligent act of commercial contractors or privately owned companies, on behalf of the Atlanta Fire and Rescue Department; and for other purposes. **(Public Hearing held 5/12/09)**
(Councilmember Winslow made a motion to hold for the completion of the public notification process.)

HELD

PUBLIC HEARINGS (CONT'D)

- 09-O-0800 (2) An Ordinance by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to assess a User Fee to non-city residents responsible for the Deployment of Fire and Rescue resources caused by a motor vehicle crash or fire which creates a hazardous condition to the community and/or when Emergency Medical Services are required, on behalf of the Atlanta Fire and Rescue Department; and for other purposes. **(Public Hearing held 5/12/09)**
(Councilmember Winslow made a motion to hold for the completion of the public notification process.)

HELD

- 09-O-0801 (3) An Ordinance by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to assess a Response Fee for providing to Private Emergency Medical Service (EMS) companies, assistance loading, unloading or moving patients on non-emergency alarms on behalf of the Atlanta Fire and Rescue Department; and for other purposes. **(Public Hearing held 5/12/09)**
((Councilmember Winslow made a motion to hold for the completion of the public notification process.)

HELD

F. ORDINANCES FOR SECOND READING

- 09-O-0762 (1) A **Substitute** Ordinance by Public Safety and Legal Administration Committee to amend the 2009 (Intergovernmental Grant Fund) Budget, Executive Offices, Mayor's Office of Weed and Seed, by adding to anticipations and appropriations in the amount of \$150,000.00 from the Office of Justice Programs, Bureau of Justice Assistance, Community Capacity Development Office and \$150,000.00 from the City of Atlanta totaling \$300,000.00 for the Weed and Seed Program in the English Avenue Community; and for other purposes.
(Councilmember Willis made a motion to approve on substitute.)

FAVORABLE ON SUBSTITUTE

ORDINANCES FOR SECOND READING (CONT'D)

09-O-0763 (2) A **Substitute** Ordinance by Public Safety and Legal Administration Committee to amend the 2009 (Intergovernmental Grant Fund) Budget, Executive Offices, Mayor's Office of Weed and Seed, by adding to anticipations and appropriations in the amount of \$150,000.00 from the Office of Justice Programs, Bureau of Justice Assistance, Community Capacity Development Office and \$150,000.00 from the City of Atlanta totaling \$300,000.00 for the Weed and Seed Program in the Vine City Community; and for other purposes.

(Councilmember Willis made a motion to approve on substitute.)

FAVORABLE ON SUBSTITUTE

09-O-0764 (3) An Ordinance by Public Safety and Legal Administration Committee amending the 2009 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, in the amount of \$2,008,119.00 for Grant Funds, from the White House Office of National Drug Control Policy, for the purpose of continuing the High Intensity Drug Trafficking Area ("HIDTA") Task Force; to disrupt drug trafficking organizations; and for other purposes.

(Councilmember Sheperd made a motion to approve.)

FAVORABLE

09-O-0798 (4) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 1, Section 1-8(c)(1), of the City of Atlanta Code of Ordinances entitled "General Penalty; Continuing Violations", to allow a person convicted of a violation of the City of Atlanta Code of Ordinances to be sentenced to Home Confinement; to amend Chapter 62, Article II, Division 1, to add a new Section 62-47 to be entitled "Authority to Sentence to Home Confinement", to provide Municipal Court Judges with the discretionary authority to sentence persons convicted of violations of the City of Atlanta Code of Ordinances to Home Confinement; and for other purposes.

(Councilmember Sheperd made a motion to approve.)

FAVORABLE

ORDINANCES FOR SECOND READING (CONT'D)

- 09-O-0804 (5) An Ordinance by Public Safety and Legal Administration Committee amending Chapter 98, Article IV of the City Code of Ordinances entitled "Department of Corrections" so as to set forth that fees for copying records of the Department of Corrections shall be as established by Chapter 2, Article XIV of the City of Atlanta Code of Ordinances; and for other purposes.

(Councilmember Sheperd made a motion to approve.)

FAVORABLE

G. RESOLUTIONS

- 09-R-0859 (1) A **Substitute** Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate contractual agreement with Correct Rx Pharmacy Service, for FC-4888, Pharmacy Services, on behalf of the Department of Corrections in an amount not to exceed \$250,000.00. All funds shall be and paid from PATEO; (General Fund) 1001 (Corrections Health Services) 090202 (Supplies-Consumable) 5311001 (Adult Corrections Inst.) 3420000; and for other purposes.

(Councilmember Sheperd made a motion to approve on substitute.)

FAVORABLE ON SUBSTITUTE

- 09-R-0860 (2) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of Office Max Incorporated v. The City of Atlanta, Civil Action File No. 09VS156140C, in the amount of \$2,235.24; authorizing said payment to be charged to and paid from Fund 1001 (General Fund) Account 5212005 (Litigation Expense) Center Number: 200101 (Non-Departmental); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.

(Councilmember Fauver made a motion to approve.)

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RESOLUTIONS (CONT'D)

- 09-R-0861 (3) A Resolution by Public Safety and Legal Administration Committee authorizing payment to Plaintiff in the case of Austin Hayes v. The City of Atlanta, Superior Court, Fulton County, Civil Action File No. 2007CV136917, in the amount of \$110,199.81; authorizing said payment to be charged to and paid from Fund 1001 (General Fund), 200101 (Non-Departmental) 5212005 (Litigation Expenses); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
(Councilmember Fauver made a motion to approve.)

FAVORABLE

- 09-R-0862 (4) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of Mary J. Eady v. COA, Civil Action File No. 1:07-CV-02991-RLV-LTW, United States District Court, Northern District of Georgia, Atlanta Division, in the amount of \$11,271.67; of this amount, authorizing payment of 5,271.67 to be charged to and paid from Fund 5501 (Airport Revenue Fund), Account 200301 (NDP Unallocated Citywide), 5750002 (Property/Liquidation), 1540000 (Human Resources) to the General Employees Fund on behalf of Mary J. Eady, and authorizing payment of \$6,000.00 to her attorney, John Wales, PC; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
(Councilmember Fauver made a motion to approve.)

FAVORABLE

- 09-R-0863 (5) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of Sally and Charles Combs v. Kevin Cotter and City of Atlanta, Civil Action File No. 2006-CV-121356, Fulton Superior Court, in the amount of \$45,750.00; authorizing said payment to be paid from Fund 1001 (General Fund) 200101 (Non-Departmental) 5212005 (Litigation Expense); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
(Councilmember Fauver made a motion to approve.)

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H. PAPERS HELD IN COMMITTEE

- 06-R-0433 (1) Claim of **Robert Colgin**, for damages alleged to have been sustained as a result of flooding on July 9, 2005 at 3340 Chatham Road, NW. **(Referred back by Council 2/20/06) (Held 2/28/06 for further investigation at the request of Councilmember Muller)**
- 06-O-1044 (2) An Ordinance by Councilmembers H. Lamar Willis and C. T. Martin to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article 2, Section 162-61(a) and Chapter 162, Article 2, Section 162-34(f) to allow short breaks in service for Taxicabs; to allow the Chief of Police or his designee, discretion to grant further extension for correction slip matters; to repeal conflicting ordinances; and for other purposes. **(Held 5/9/06 at the request of Councilmember Martin)**
- 07-O-1525 (3) An Ordinance by Councilmember Joyce Sheperd to amend Section 122-172 under Chapter 122, Article V, Division 2, of the Code of Ordinances, so as to provide for a review by the affected Neighborhood Planning Unit(s) whenever an application for a license to operate a Secondary Metal Recycler is submitted; and for other purposes. **(Held 7/31/07 at the request of the author for further review. 9/25/07 a motion was approved to forward to the NPU's for review)**
- 07-O-1795 (4) An Ordinance by Councilmember H. Lamar Willis to establish Chapter 21 of the Code of Ordinances of the City of Atlanta entitled "Transportation of Hazardous Materials"; to create a new Article I to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007," to create a new Division 1 to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007"; so as to prohibit large shipments of certain extremely hazardous materials near the City of Atlanta in an effort to reduce the risk of attacks by terrorists; to allow for the issuance of permits authorizing such shipments in special cases; to require the Mayor to issue regulations to implement the provisions of this act; and for other purposes. **(Held 8/28/07 for further review.)**

PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-1879 (5) An Ordinance by Public Safety and Legal Administration Committee to revise the City of Atlanta Code of Ordinances pertaining to secondary metal recyclers by amending the following Sections of Chapter 122, Article V, Divisions I and II; Section 122-151 (Definitions); Section 122-152 (Records Required); and Section 122-157 (Unlawful Acts); Section 122-171 (Required Application); to add the following new Sections to Chapter 122, Article V, Divisions I and II of the City of Atlanta Code of Ordinances: Section 122-158 (Daily Written Report to Police); Section 122-159 (Offenses; Defenses, Penalty); Section 122-160 (Possessor of Secondary Metals); Section 122-161 (License to Possess Secondary Metals); Section 122-162 (Revocation of License to Possess Secondary Metals); and Section 122-170 (Processing Application; Issuance of License, Possessor of Secondary Metals); to waive conflicting ordinances; and for other purposes. **(Public Hearing held on 10/30/07) (Held 10/30/07 for further review)**
- 07-R-2294 (6) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to approve or reject the decision of the evaluator presiding in the early neutral evaluation process, an alternative dispute resolution process, in the matter of Veolia Water North America Operating Services, LLC v. City of Atlanta, in the U.S. District Court, Northern District of Georgia, Civil Action No. 06-CV-1457-TWT; and for other purposes. **(Held 10/30/07 for further review)**
- 07-O-2513 (7) An Ordinance by Councilmember Ceasar C. Mitchell to amend Ordinance #07-O-2135, adopted October 15, 2007 and approved October 22, 2007, amending Section 10-12 of the City Code, which amendment eliminated the provision allowing persons 18 years of age or older to provide entertainment in any premises licensed for the sale of alcoholic beverages, so as to exempt from said ordinance, those persons currently employed as entertainers with active and valid permits, which will afford such persons a "Grandfathered" status; and for other purposes. **(Held 11/27/07 at the request of the author)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 08-O-0190 (8) An Ordinance by Councilmember H. Lamar Willis to amend Chapter 30, Article II of the City Code of Ordinances to reflect new fees for owners of Adult Entertainment establishments which sell alcohol to provide for certain programs for the prevention of sexual assault; and for other purposes. **(Held 1/29/08 at the request of the author)**
- 08-O-0507 (9) An Ordinance by Councilmember Mary Norwood to create a new Section 106-15 of the Code of Ordinances of the City of Atlanta, Georgia, to be entitled "Loitering"; and for other purposes. **(Held 3/11/08 for further review by the Law Department)**
- 08-O-0824 (10) An Ordinance by Councilmembers Ceasar C. Mitchell, Cleta Winslow, Joyce M. Sheperd, Mary Norwood, C. T. Martin, Ivory L. Young, Jr., Kwanza Hall and H. Lamar Willis to amend Article V (Entitled "Offenses by and against Minors") of Chapter 106 of the Code of Ordinances of the City of Atlanta, Georgia, by creating a new Section 106-229 to be entitled "Day-Time Curfew" so as to impose a Day-Time Curfew on minors, ages six (6) to sixteen (16) years; and for other purposes **(Held 4/29/08 per the Department of Police to have discussion with the Atlanta Board of Education.)**
- 08-O-0884 (11) An Ordinance by Finance/Executive Committee to amend Chapter 10, Article I, Section 10-1 of the Code of Ordinances, City of Atlanta, Georgia, so as to amend the definition of the word "Restaurant" to more closely reflect the definition of the term "Bona Fide Full-Service Restaurant" contained in Chapter Three of the Official Code of Georgia Annotated; to repeal conflicting ordinances; and for other purposes. **(Held 5/27/08 for further review)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 08-O-1147 (12) A **Substitute** Ordinance by Public Safety and Legal Administration Committee to amend the Charter of the City of Atlanta, Georgia, adopted under the authority of the Municipal Home Rule Act of 1965, O.C.G.A. 36-35-1 et seq., as amended, to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws, P. 4469, et seq., by amending Article 4, Courts, Sections 4-106 and 4-109 regarding the appointment of Judges Pro Hac Vice to the Municipal Court of Atlanta; to repeal conflicting ordinances; and for other purposes. **(Referred back from Council on 3rd Reading, Final Adoption) (Held 2/24/09)**
- 08-O-1211 (13) An Ordinance by Councilmembers H. L. Willis, C. T. Martin, Ivory L. Young, Jr. and Mary Norwood to create a separate Department/Organization (Dept/Org) to account for the activity of the Citizen Review Board (CRB); to move funds budgeted in the FY 2008 General Fund Budget in the Police Department's Public Affairs Unit for the purposes of the CRB; and for other purposes. **(Held 6/10/08 for further review)**
- 08-O-1252 (14) An Ordinance by Councilmember Howard Shook to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 10, Article II, Division 2, Section 10-94(a), to exempt certain properties from the distance requirements of 10-88 for the sale of alcoholic beverages for consumption on the premises; and for other purposes. **(Held 7/1/08 at the request of the Law Department)**
- 08-O-1289 (15) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 10, Article II, Division 2, Section 10-61, Entitled "Date for Payment of License Fees; Prorated Fees", to provide for an expiration date for all licenses issued under Division 2 of Chapter 10, Article II of the City of Atlanta Code of Ordinances; to change the date by which all Annual License Fees and Renewal Applications of

PAPERS HELD IN COMMITTEE (CONT'D)

all Annual Licenses issued under Division 2 of Chapter 10, Article II of the City of Atlanta Code of Ordinances must be submitted; to provide for prorated fees based upon the new deadline; to set forth that the effective date of this amendment shall be January 2, 2009; to repeal conflicting ordinances; and for other purposes. **(Held 7/15/08 at the request of the Law Department)**

- 08-O-1538 (16) An Ordinance by Councilmembers Jim Maddox, Joyce Sheperd, Mary Norwood, Ivory Lee Young, Jr., H. Lamar Willis, Kwanza Hall, C. T. Martin, Natalyn Archibong and Ceasar C. Mitchell to amend the Charter of the City of Atlanta, Georgia pursuant to the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, by amending Section 4-104 (d) so as to provide that for the next Election of Municipal Court Judges, to be held in 2009, if more than seven (7) Judges elect to continue to serve for an additional four year term, only the seven (7) Judges receiving the highest number of votes shall continue to serve; to waive conflicting ordinances and charter amendments; and for other purposes. **(Referred by Full Council on 8/18/08) (Held 8/26/08 for a legal opinion.)**
- 08-O-1544 (17) An Ordinance by Councilman C. T. Martin to amend Section 162-78 (a) (3) and (6) (Taxicabs and Vehicles for Hire) of the Code of Ordinances of the City of Atlanta, Georgia so as to eliminate the Annual Fingerprinting Requirement for Taxicab Drivers and to change the Driver's Training Course Requirement from annually to every three years; to waive conflicting ordinances; and for other purposes. **(Referred back by Full Council on 8/18/08) (Held 8/26/08 for further review.)**
- 08-O-1753 (18) An Ordinance by Councilmember Mary Norwood to amend Article XXIV entitled "Vending on Private Property"; and for other purposes. **(Held 9/9/08 for further review.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 08-O-1760 (19) An Ordinance by Councilmembers Jim Maddox, C. T. Martin, Cleta Winslow, H. Lamar Willis, Ceasar Mitchell, Ivory L. Young, Jr., Kwanza Hall and Clair Muller **as substituted by Public Safety and Legal Administration Committee** to amend Chapter 62, Article II, Division 1, of the City of Atlanta Code of Ordinances, to create a new Section 62-27.1 which section shall provide that effective July 1, 2009, the number of Municipal Court Judges shall be eight (8); to waive conflicting ordinances; and for other purposes. **(Held 9/9/08 for further review.) (Substituted and held 4/28/09; waiting for the Municipal Court to present its Fiscal Year 2010 Budget.)**
- 08-O-2436 (20) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 2, Article XVI, Division 11, Section 2-2211 and Chapter 2, Article XVI, Division 11, Section 2-2212 to provide for the disclosure of public police and corrections documents to the Citizen Review Board; to amend Chapter 98, Article II, Section 98-26(b)(3) and Chapter 98, Article IV, Section 98-153(b)(3) to require the Chiefs of Police and Corrections to appear before the Citizen Review Board upon request and set forth the reasons for delays in internal investigations into their employees' conduct; and for the other purposes. **(Held 1/13/09 for a 4 week time certain.) (Held 4/28/08 for a work session)**
- 09-R-0061 (21) Claim of Veronica Watson for vehicular damages alleged to have been sustained from striking a storm sewer catch basin on February 15, 2008 at Fairbanks Street, SW and Deckner Avenue, SW. **(Held 1/13/09 at the request of Councilmember Sheperd.)**
- 09-R-0354 (22) Claim of Alberta Stephenson, for damages alleged to have been sustained as a result of a vehicular accident on February 1, 2007 at Joseph E. Lowery Boulevard at Interstate 20 exit. **(Councilmember Fauver made a motion to approve the adverse claim.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 09-R-0375 (23) A Resolution by Councilmember Anne Fauver supporting and endorsing the proposed Resolution of the Fulton County Commission to restrict the practice of chaining or tethering dogs in Fulton County; and for other purposes. **(Held 2/24/09 in order to forward the ordinance to the NPU's for review and comment, and to send a letter to Commissioner Pitts from the Public Safety and Legal Administration Committee to defer action until it goes through the City NPU process.)**
- 09-O-0389 (24) An Ordinance by Public Safety and Legal Administration Committee to amend Section 10-75 (5) of the Code of Ordinances of the City of Atlanta, Georgia ("The Alcoholic Beverage Code") so as to correct a Code Section reference error contained therein; to waive conflicting ordinances; and for other purposes. **(Held 3/10/09 for further review)**
- 09-R-0621 (25) Claim of **Tremayne McReynolds**, for damages alleged to have been sustained as a result of a trip and fall incident in an uncovered water meter on July 15, 2008 at 277 Pharr Road, NE. **(Referred back by Council 4/20/09) (Held 4/28/09 for further review)**
- 09-R-0722 (26) Claim of **Tracy Dummett**, for damages alleged to have been sustained from a police shooting incident on October 16, 2008 at 1500 Langston Avenue. **(Held 4/28/09 at the request of Councilmember Sheperd for further review by the Law Department.)**

I. REQUESTED ITEMS

1. Councilmember Martin made a request to form a sub-committee to study ways to reduce crime in the City of Atlanta.
2. Councilmember Sheperd made a request for a work session on liquor licensing.

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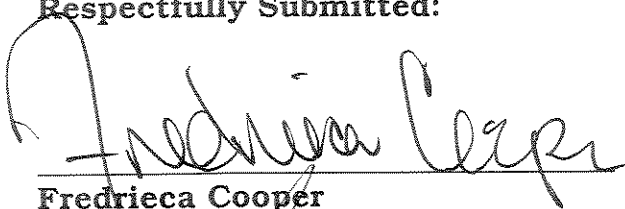
REQUESTED ITEMS (CONT'D)

3. The Public Safety and Legal Administration Committee made a request that the Courts be moved up on the Budget Hearing Schedule from Tuesday, May 19, 2009 in regard to Ordinance #08-O-1760.
4. Councilmember Martin made a request for David Edwards to appear before the committee's next meeting to discuss the Public Property Vending Contract with General Growth Properties.
(Second request)
5. Councilmember Willis made a request to Department of Police Deputy Chief Turner to provide a status report on the 911 Call Center.
6. Councilmember Willis made a request to Department of Police Major Williams to provide a briefing on an SOP that would not allow Retired Police Officers to work an extra job.
7. Councilmember Willis made a request for Staff to contact General Manager Ben DeCosta about the status of the Department of Aviation's Dispatch Center at the Airport.

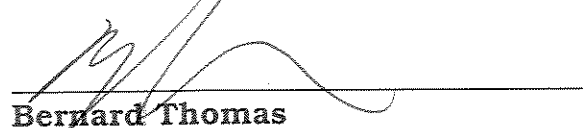
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There being no further business to come before the Committee, the meeting was adjourned at 5:46 p.m.


Respectfully Submitted:



Fredriecca Cooper
Legislative Assistant



Bernard Thomas
Research and Policy Analyst



The Honorable Cleta Winslow, Chair
Public Safety and Legal Administration Committee